S.B.CIVIL WRIT PETITION NO.1955/2001.
S.B.CIVIL WRIT PETITION NO.2089/2001.
S.B.CIVIL WRIT PETITION NO.682/2001.
S.B.CIVIL WRIT PETITION NO.683/2001.
S.B.CIVIL WRIT PETITION NO.684/2001.
S.B.CIVIL WRIT PETITION NO.2340/2001.
S.B.CIVIL WRIT PETITION NO.5481/2000.

11.08.2006.

HON'BLE MR.JUSTICE DALIP SINGH

Mr.Kamlesh Pareek, for the petitioners.
Mr.B.K.Sharma, Deputy Government Advocate.
Mr.Arun Chaturvedi]
Mr.V.S.Chouhan] for the respondents.

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In all these writ petitions, the petitioners have contended that the revisions filed by the non-petitioners were fixed for hearing by the Additional Collector at the Camp Court at Sambhar and on the date fixed the Presiding Officer, the Additional Collector, did not come to Sambhar and pronounced the judgments in the court at Jaipur without affording opportunity to the petitioners of hearing and has recorded that the petitioners were not present despite service. In response to the order of this court, an additional affidavit of the Officer-In-Charge Shri Prem Chand has been filed in S.B.Civil Writ Petition No.682/2001 [Chiranji Lal Vs. State of Rajasthan & Ors.] wherein it has been stated as under :-

> "It may be possible that the Camp Court at Sambhar could not functioned on 20.09.2000 and in the said appeal No.209/1999, the next date was fixed as 18.10.2000 by informing the S.D.O., Sambhar Lake telephonically and after

> ending the election meeting at Jaipur, these four revisions were decided by pronouncing the judgments/orders at his Jaipur Court which is evident from the judgments/orders in which words “Camp Court, Sambhar” were not used, hence, it is wrong to say on the part of the petitioners that the Presiding Officer i.e. Additional Collector-II, Jaipur was not present at Jaipur while the judgments/orders were pronounced.”

Based upon the aforesaid averments made in the additional affidavit, it is contended by the learned counsel for the petitioners that as per the Office-In-Charge himself, since the Officer-In-Charge was not able to contact the then Additional Collector, Jaipur Shri Ved Singh, it is possible as per the stand of the Government that the matters were decided at Jaipur itself.

Learned counsel appearing on behalf of the respondents submit that the respondents could have no objection if the revisions are ordered to be heard and decided afresh after affording opportunity of hearing to the petitioners.

In the facts and circumstances, mentioned above, the impugned orders are set aside on the ground that they have failed to comply with the principles of natural justice.

Consequently, all these writ petitions are allowed. The case is remanded to the learned Additional Collector-II, Jaipur for decision of the revision petitions afresh in accordance with law after affording an opportunity of hearing to the petitioners.

The parties are directed to appear before the Additional Collector-II, Jaipur on 11.09.2006 at his court at Jaipur either in person or through Advocate. The Additional Collector-II, Jaipur shall not issue any fresh notice to the petitioners in this behalf. Since, the matter is very old one, the Additional Collector-II, Jaipur is directed to decide the revisions expeditiously, preferably within a period of three months from 11.09.2006.

(DALIP SINGH),J.

Solanki DS, Jr.P.A.